NOTE

This Microfiche meets the quality requirements of the American National Standard for Microfiche of Documents (ANSI PH5.9-1975). However, because of imperfections in the document from which it was made, it contains images that are illegible or difficult to read. The source document for this microfiche is the best copy that could be obtained prior to filming.

CIS Congressional Information Service Washington, D.C.

PREAMBLE AND RULES

OF THE

DEMOCRATIC CAUCUS

William H. Gray III, Chairman
Steny H. Hoyer, Vice Chairman

Revised
One Hundred First Congress
January 31, 1989

H940-3

PREAMBLE

In adopting the following rules for the Democratic Caucus, we affirm and declare that the following cardinal principles should control Democratic action:

a. In essentials of Democratic principles and doctrine, unity.

b. In nonessentials, and in all things not involving fidelity to party principles, entire individual independence.

c. Party alignment only upon matters of party faith or party policy.

d. Friendly conference and, whenever reasonably possible, party cooperation.

CONTENTS

		Page
Preamble		ii
Rules		1
Membership, Officers and Elections		
Rule 1.	Membership	1
Rule 2.	Party Leaders and Caucus Officers	1
Rule 3.	Elections	1
Caucus Meetings		
Rule 4.	Calling and Scheduling Meetings	2
Rule 5.	Notice and Agenda of Meetings	2
Rule 6.	Admittance to Meetings	3
Rule 7.	Quorum	3
Rule 8.	Parliamentary Procedure	3
Rule 9.	Caucus Journal	3
Rule 10.	Recorded Votes and Voting Procedure	3
Committee Membership		
Rule 11.	Committee Ratios	4
Rule 12.	Standing Committees—Membership Nominations	4
Rule 13.	Procedure for Electing Committee Members	4
Rule 14.	Procedure for Electing Rules Committee Members	4
Rule 15.	Procedure for Electing Budget Committee Members	5
Rule 16.	Procedure for Electing Appropriations and Ways and Means Committee Members	5
Rule 17.	Classification of Committees	6
Rule 18.	Restrictions on Committee Memberships	6
Rule 19.	Appointments to Joint and Select Committees, Boards and Commissions	7
Committee Chairmanships		
Rule 20.	Nomination and Election of Committee Chairmen	7
Rule 21.	Nomination and Election of Rules Committee Chairman	7
Rule 22.	Nomination and Election of Budget Committee Chairman	8
Rule 23.	Filling Vacancy in Committee Chairmanship	8
Rule 24.	Limitation on Number of Chairmanships	8
Committee Caucuses		
Rule 25.	Committee Organizing Caucus	8
Rule 26.	Periodic Committee Caucuses	8
Subcommittee Chairmanships		
Rule 27.	Election of Subcommittee Chairmen	9
Rule 28.	Subcommittee Chairmanship Vacancies	9
Rule 29.	Restrictions on Subcommittee Chairmanships	9
Rule 30.	Waiver of Committee and Subcommittee Chairmanship Restrictions	10
Subcommittee Membership		
Rule 31.	Election of Subcommittee Members	10
Rule 32.	Limitations on Subcommittee Membership	11
Rule 33.	Subcommittee Vacancies	11
Committee and Subcommittee Procedure		
Rule 34.	Structure and Rules	11
Rule 35.	Subcommittee Staff and Organization	12
Floor and Conference Procedure		
Rule 36.	Closed Rule Limitation	12
Rule 37.	Notice of Appropriations Violations	13
Rule 38.	Economic Legislation	13
Rule 39.	Guidelines on Suspensions of House Rules	13
Rule 40.	Role of Subcommittee Chairman on House Floor	14
Rule 41.	Democratic Representation on Conference Committees	14
Party Committees		
Rule 42.	Democratic Steering and Policy Committee	14
Rule 43.	Regional Whips	15
Rule 44.	Democratic Congressional Campaign Committee	16
Amendment and Review of Caucus Rules		
Rule 45.	Procedure for Amending Caucus Rules	16
Rule 46.	Committee on Organization, Study and Review	17

Rule 47. Exemptions, Exceptions and Waivers 17

Disciplinary Procedures

Rule 48. Temporary Step Aside of a Chairman Who is Indicted 17
Rule 49. Automatic Replacement of a Chairman Who is Censured 18

RULES

Membership, Officers and Elections

Rule 1. Membership

Inclusion

A. All Democratic Members of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegates from American Samoa, the District of Columbia, Guam, and the Virgin Islands who are Members of the Democratic Party shall be prima facie Members of the Democratic Caucus of the House of Representatives (hereafter "Caucus").

B. The following procedures shall govern when a Democratic Member chooses to leave the Democratic Party:

Actions Constituting Change of Party

1. Whenever a Member of the Caucus resigns from or acts affirmatively to change political parties, he shall automatically cease to be a Member of the Democratic Caucus. Such acts shall be limited to changing party registration in his home state, filing for office as a candidate for nomination of another political party, or accepting the nomination of another political party. This section shall not apply to anyone who files for or accepts the nomination of another party *in addition* to accepting the nomination of the Democratic Party.

Notification Procedure

2. The Caucus Chairman shall notify the affected Member in writing when he ceases to be a Member of the Democratic Caucus in accordance with paragraph B(1) and that Member shall have the opportunity to seek reinstatement by majority vote, by secret ballot, at a meeting of the Caucus called within 10 days of his request, provided that at least five Members support, in writing, the Member's request. If the Member is not reinstated within 30 days of receiving notification, the Caucus Chairman shall then notify the Speaker of the House that the affected Member is no longer a Member of the Democratic Caucus.

Expulsion

C. The Caucus may expel by two-thirds vote any Member failing to abide by rules governing such Caucus.

Campaign Activity

D. In order to maintain membership in good standing in the Caucus, Members of the Caucus shall not participate in campaign activities for any candidate in a partisan federal election who is not a Member of the Democratic Party.

Rule 2. Party Leaders and Caucus Officers

Party Leaders

A. The Caucus shall nominate a candidate for Speaker and shall elect the Majority Leader and the Majority Whip.

Caucus Offices

B. The Caucus shall elect a Chairman and a Vice Chairman.

Term of Office

C. No Member shall be elected to serve as Chairman or Vice Chairman of the Caucus for more than two consecutive terms.

Temporary Chairman

D. The Chairman shall have the right to name any Member to perform the duties of the Chair during the temporary absence of the Chairman.

Rule 3. Elections

A. Except as otherwise provided by Caucus rule, the following provisions shall apply to all elections in the Caucus or in entities of the Caucus:

Votes by Secret Ballot

1. All votes shall be by secret ballot;

Quorum

2. A quorum shall be required to proceed;

Nominations

3. The name of each candidate shall be placed in nomination. (Votes cast for a person whose name was not placed in nomination shall not be counted or considered except to determine the number of votes necessary for election.) Nominations shall be limited to not more than one 5-minute nominating speech and three 2-minute seconding speeches on behalf of each candidate so nominated;

Balloting

4. After nominating and seconding speeches, balloting shall proceed without interruption or recess from ballot to ballot until one candidate shall have received the votes of a majority of those present and voting, and such candidate shall be declared elected;

Elimination

5. If there are more than two candidates, the nominated candidate receiving the fewest votes on the first and each succeeding ballot shall be eliminated; and votes for such candidate shall not be tallied or considered except for the purpose of determining the number of Members present. If two or more candidates tie for fewest votes on the first ballot or on subsequent ballots, neither shall be eliminated; should such occur for a second time, however, both shall be eliminated. Following any ballot a candidate wishing to withdraw shall be entitled to recognition for one minute for the purpose of so advising the Caucus.

Binding Votes on House Leadership

B. With respect to voting in the House for Speaker and other officers of the House, for each committee chairman, and for membership of committees, a majority vote of those present and voting at a Democratic Caucus shall bind all Members of the Caucus.

Caucus Meetings

Rule 4. Calling and Scheduling Meetings

Call for Meetings

A. Meetings of the Caucus shall be called by the Chairman upon his own motion, at the request of the Party Leader, or upon written request of 50 Members of the Caucus.

Regular Meetings

B. While the House is in session, the Caucus shall meet regularly on the third Wednesday of each month except January in odd-numbered years. If the House is not in session on the third Wednesday, the monthly Caucus shall be held on the next succeeding Wednesday on which the House is in session. The Chairman may cancel any monthly Caucus, but not two consecutive monthly Caucuses, provided Members are given reasonable notice of such cancellation.

Committee Schedules

C. Members of the Caucus shall not schedule committee meetings or hearings at times when the Caucus is to be in session.

Rule 5. Notice and Agenda of Meetings

Notice

A. The Chairman shall set the time and place of each meeting of the Caucus and shall provide Members with an agenda listing all matters to be considered at each Caucus meeting. Said agenda shall be distributed to Members on the fifth day preceding the day on which the Caucus meeting is convened; however, when the purpose of such Caucus meeting is to consider a veto override or legislation that has been reported to the House, the Chairman may waive the five-day-notice requirement provided Members are given reasonable notice of such meeting.

Regular Agenda

B. The agenda for each meeting shall include any matter requested in writing by five or more Members and delivered to the office of the Caucus Chairman by noon on the fifth day preceding the day on which the Caucus meeting is convened, plus any matter which the Caucus Chairman or Party Leader wishes to place before the Caucus.

Additions and Modifications

C. Following issuance of the agenda, additional items may be placed thereon only by the Caucus Chairman or upon petition by 50 Members delivered to the office of the Chairman by noon on the second day preceding the day on which the Caucus meeting is convened. The Caucus Chairman shall provide Members with written notification of any addition to the agenda not later than 5 p.m. the same day.

Exception to Notice

D. Any matter not noticed in accord with the preceding provisions shall not be in order. The only exception to this provision is when copies of the matter to be considered have been available to Members for at least two hours of the normal work day, and the Caucus agrees by a two-thirds vote, to make the matter in order.

Recess Authority

E. A meeting of the Caucus may, at the call of the Chairman or upon motion, be recessed and later reconvened for continuation of properly noticed business, at a time and place designated; except during election balloting as provided in Caucus Rule 3.A.4.

Amendment that Instructs Requires Notice

F. Also, it shall not be in order to offer an amendment to a resolution being considered in Caucus if said amendment adds language directing or instructing the Democratic Members of a committee on any matter, unless the intent to instruct said Members was noticed in accord with the provisions of this rule.

Rule 6. Admittance to Meetings

Closed Meetings

No persons, except Members of the Caucus, a Caucus Journal Clerk, and other necessary employees, shall be admitted to the meeting of the Caucus without the express permission of the Chairman.

Rule 7. Quorum

Regular

A. A quorum of the Caucus shall consist of a majority of the Members of the Caucus. If the absence of a quorum is established, the Chairman may continue the meeting for purposes of discussion only, but no motion of any kind, except a motion to adjourn, shall be in order at such continued meetings.

Procedure for Quorum Call

B. Subject to the provisions of Caucus Rules 3 and 10, a quorum call or roll call may be taken by electronic or other means, provided Members shall have not less than 15 minutes in which to have their vote or presence recorded.

Rule 8. Parliamentary Procedure

Parliamentary Law

5-Minute Rule

No Proxy Voting

General parliamentary law, with such special rules as may be adopted, shall govern the meetings of the Caucus. The five-minute rule that governs the House of Representatives shall govern debate in the Caucus, unless suspended by a vote of the Caucus. Proxy voting is not allowed in the Democratic Caucus, nor in subunits under the Caucus, including Democratic caucuses of House Committees and subcommittees.

Rule 9. Caucus Journal

Inspection of Journal Upon Request

The Caucus shall keep a journal of its proceedings, which shall be published after each meeting, and which shall be available for inspection by any Member of the Caucus upon request.

Rule 10. Recorded Votes and Voting Procedure

Recorded Votes

Secret Ballot Requires Majority

The yeas and nays on any question before the Caucus shall, at the desire of one-fifth of those present, be entered on the Journal, and a copy of each record vote shall be distributed to each Member of the Caucus. Provided, however, that a question shall be decided by secret ballot or other non-record vote if a majority so demands.

Committee Membership

Rule 11. Committee Ratios

Committee Ratio 3-2

Committee ratios should be established to create firm working majorities on each committee. In determining the ratio on the respective standing committees, the Speaker should provide for a minimum of three Democrats for each two Republicans.

Rule 12. Standing Committees—Membership Nominations

Steering and Policy Committee Nominates

A. The Steering and Policy Committee shall recommend to the Caucus nominees for membership to committees, one committee at a time, other than the Committee on Rules for which the Democratic nominee for Speaker, (or Speaker, as the case may be) shall have exclusive nominating authority.

Nomination by State Delegations

B. Upon a letter from a Member, signed by 50 percent or more of said Member's State Democratic Delegation, including said Member, said Member shall automatically be considered for nomination by the Steering and Policy Committee for the committee membership position to which said Member aspires. The Chairman of the Steering and Policy Committee shall see that such Member's name is placed in nomination. This provision shall not apply to nominations for the Committee on Rules.

Seniority Not Mandatory

C. Recommendations for committee posts need not necessarily follow seniority.

Non-Discrimination

D. In making nominations for committee assignments, the Steering and Policy Committee shall not discriminate on the basis of prior occupation or profession.

Rule 13. Procedure for Electing Committee Members

Voting

A. Once recommendations are received from the Steering and Policy Committee, the Caucus shall vote, one committee at a time, on memberships, except as provided in the following paragraph B.

Debate

B. Upon a demand supported by 10 or more Members, a separate vote, by secret ballot, shall be had on any member of a committee. If any such vote prevails, the Committee list of that particular committee shall be considered recommitted to the Steering and Policy Committee for the sole purpose of implementing the direction of the Caucus. Such demand, if made and properly supported, shall be debated for no more than 30 minutes with the time equally divided between proponents and opponents. If the Caucus and the Steering and Policy Committee are in disagreement after completion of the procedure herein provided, the Caucus may make final and complete disposition of the matter.

Timing

C. The Caucus shall take no action with respect to any committee nominations made by the Steering and Policy Committee at the start of a Congress until after the House has elected the Speaker and approved House Rules for such Congress.

Rule 14. Procedure for Electing Rules Committee Members

The Democratic nominee for Speaker (or Speaker, as the case may be) shall recommend to the Caucus nominees for membership to the Committee on Rules. Debate and balloting on any such nomination shall be subject to the same provisions as apply to the nominations of Members of other committees, as set forth in Caucus Rule 13. If a majority of those present and voting reject any nominee for membership to the Committee on Rules, the Democratic nominee for Speaker (or Speaker, as the case may be) shall be entitled to submit new nominations until any such positions are filled.

Rule 15. Procedure for Electing Budget Committee Members

The Caucus shall elect the Democratic Members of the Budget Committee, after election of the Budget Chairman (who by virture of election as chairman is a Member of the committee), in accordance with the following provisions:

Party Ratio

A. The party ratio on the Budget Committee shall be determined by the Caucus at the start of each Congress; Provided, however, that the ratio shall not be less than three Democrats for each two Republicans.

Leadership Member

B. The Speaker shall appoint the leadership Member of the committee.

Nomination of Other Members

C. The Steering and Policy Committee shall nominate three Members of the Appropriations Committee, three Members of the Ways and Means Committee, at least one from the Rules Committee, and the requisite number of Members of other committees to fill all remaining Democratic seats. A list of said nominees shall be distributed to all Members of the Caucus at least four days prior to the election meeting. Members shall then have at least two days to nominate additional candidates by written notice signed by five Members other than the nominee. Written nominations must be delivered to the offices of the Caucus Chairman and the Caucus Vice Chairman not later than noon on the second day immediately preceding the election meeting, and the Caucus Chairman or Vice Chairman shall mail a list of all nominees to Members of the Caucus that same day.

Election Procedure

D. Following election of the chairman, the other Democratic Members shall be elected. Election shall be by ballot which lists all candidates by category (Appropriations, Ways and Means, Rules and other committees) in the order they were nominated provided that the Member selected as chairman shall be counted as having filled one position in the appropriate category. A majority of those present and voting for a nominated candidate shall be required to elect; provided however, that any ballot which contains votes for more or fewer candidates than there are vacancies to be filled in each category shall not be counted.

Special Limitation

E. Members of the Budget Committee shall be subject to the following limitations:

1. No more than two-thirds of the Democratic Members nominated to the Budget Committee by the Steering and Policy Committee in any Congress shall be persons who served as Members of the Budget Committee during the preceding Congress.

2. No Member, other than the leadership Member, shall serve as a Member of the Committee on the Budget during more than three Congresses in any period of five successive Congresses (disregarding for this purpose any service performed as a Member of such committee for less than a full session in any Congress). All selections of Members to serve on the committee shall be made without regard to seniority. Provided that an incumbent chairman, having served during three Congresses on the committee and not more than one Congress as chairman and who is reelected for one additional Congress as chairman, shall not be subject to the limitations of this provision.

Rule 16. Procedure for Electing Appropriations and Ways and Means Committee Members

The Caucus shall elect Democratic Members to fill vacancies on the Ways and Means Committee and the Appropriations Committee in accordance with the following procedures:

Nominations

A. The Steering and Policy Committee shall nominate one Member for each Democratic vacancy to be filled on the Ways and Means Committee and the Appropriations Committee and shall distribute the name(s) of such nominee(s) to all Members of the Democratic Caucus at least four days prior to the election meeting. Members shall then have two days to nominate additional candidates by written notice signed by five Democratic Members other than the nominee. Written nominations must be delivered to the offices of the Caucus Chairman and the Caucus Vice Chairman not later than noon on the second day immediately preceding the election meeting, and the Caucus Chairman or Vice Chairman shall mail a list of all nominees to Members of the Caucus that same day.

Election Procedure

B. Election shall be by ballot which lists all candidates in the order they were nominated, and a majority shall be required to elect; provided however, that any ballot which contains votes for more or fewer candidates than there are vacancies to be filled shall not be counted.

Previous Members

C. The nomination of any Member who served on the committee in the preceding Congress shall be reported by the Steering and Policy Committee for action by the Caucus in the same manner as is provided for nomination of Members to other standing committees.

Rule 17. Classification of Committees

For the purposes of Caucus Rules the following committee designations shall apply:

Exclusive

A. Appropriations; Ways and Means; and Rules shall be "exclusive" committees.

Major

B. Agriculture; Armed Services; Banking, Finance and Urban Affairs; Education and Labor; Foreign Affairs; Energy and Commerce; the Judiciary; and Public Works and Transportation shall be considered "major" committees.

Non-major

C. Budget; District of Columbia; Government Operations; House Administration; Interior and Insular Affairs; Merchant Marine and Fisheries; Post Office and Civil Service; Science and Technology; Small Business; and Veterans' Affairs shall be considered "non-major" committees.

Rule 18. Restrictions on Committee Memberships

A. Except with respect to service on the Committee on the Budget and the Committee on House Administration, no Democratic Member of an exclusive committee shall also serve on another exclusive, major, or non-major committee.

B. Each Democratic Member shall be entitled to serve on one but only one exclusive or one major committee.

C. No Democratic Member shall serve on more than one major and one non-major committee or two non-major committees.

D. Members who served as Members of the Select Committee on Small Business or the Small Business Subcommittee of the Committee on Banking and Currency on October 8, 1974, shall not be deemed to be in violation of the provisions of paragraph A above by reason of membership on the Small Business Committee.

E. Any Member of the Budget Committee shall be entitled to take a leave of absence from service on any committee or subcommittee during the period he or she serves on the Budget Committee and seniority rights of such Member on such committee and on each subcommittee to which such Member was assigned at the time shall be fully protected as if such Member had continued to so serve during the period of the leave of absence. Any Member on such leave of absence shall not be deemed to be in violation of the provisions of this paragraph by reason of his or her membership on the committee from which he or she is on leave of absence.

F. No Member shall serve on the Committee on Standards of Official Conduct for more than three consecutive terms.

G. No Member shall be a member of more than two committees with legislative jurisdiction. The following committees shall be exempt from this provision: District of Columbia; House Administration; Standards of Official Conduct; House Recording and Joint Committees.

H. Democratic Members may be elected to serve on the Committee on the District of Columbia without regard to their other committee assignments.

I. Democratic Members who served on the Committee on the Judiciary between the 96th and 100th Congress without regard to their other committee assignments, shall be eligible to serve thereon without regard to their other committee assignments and shall retain their seniority.

Rule 19. Appointments to Joint and Select Committees, Boards and Commissions

In those instances where the Speaker has the power to appoint Members to joint and select committees, boards and commissions, due consideration should be given to sharing the workload and responsibility among qualified Members of the House who have indicated an interest in the subject matter of the committee, board, or commission and have expressed a willingness to actively participate in its deliberations and operations. All Members serving on joint and select committees, boards and commissions by virtue of appointment by the Speaker shall be considered to have completed their tenure and their positions deemed to be vacant until filled by appointment or reappointment by the Speaker at the start of a new Congress.

Committee Chairmanships

Rule 20. Nomination and Election of Committee Chairmen

Nominations by Steering and Policy Committee

A. The Steering and Policy Committee shall nominate one Member of each standing committee, other than the Committee on Rules and the Budget Committee, for the position of chairman and such nominations need not necessarily follow seniority.

Additional Nominations

B. If the Member nominated by the Steering and Policy Committee is other than the immediately preceding chairman, or the ranking majority member, additional nominations shall be in order from the floor of the Caucus and election shall be in accord with the provisions of Caucus Rule 3.A.3. If a nominee was chairman of the Committee in question at the close of the preceding Congress, no other nominations shall be allowed and the Caucus shall vote by secret ballot to approve or disapprove that nominee alone. No debate shall be allowed unless requested by the nominee or a Member who wishes to speak in opposition to a nomination provided that the request to speak in opposition is supported by three or more Members. Debate on any nomination shall be limited to 30 minutes equally divided between proponents and opponents of that nominee, such time to be further extended only by a majority vote of the Caucus.

Rejection and New Nominations

C. If a majority of those present and voting reject its nominee for chairman, the Steering and Policy Committee shall make a new nomination within five days. Five to ten days after the Steering and Policy Committee reports such new nominations, the Caucus shall meet to consider the new nominee of the Steering and Policy Committee and any additional nominations offered from the floor. With the exception of the Budget Committee, only Members who have been recommended for membership on the committee shall be eligible for nomination as chairman. Should additional nominations be made from the floor, the election shall be conducted in accord with Caucus Rule 3.

Rule 21. Nomination and Election of Rules Committee Chairman

Nomination

A. The Democratic nominee for Speaker (or Speaker, as the case may be) shall recommend to the Caucus a nominee for chairman of the Committee on Rules. Debate and balloting on any such nomination shall be subject to the same provisions as apply to the nominations of chairmen of other committees.

Nominations

the Committee on Rules, the Democratic nominee for Speaker (or Speaker, as the case may be) shall be entitled to submit a new nomination until that position is filled.

Rule 22. Nomination and Election of Budget Committee Chairman

Chairman Elected First

A. The Caucus shall elect one Member to serve as chairman of the Budget Committee, from nominations made pursuant to Caucus Rule 15. Election of the chairman must precede election of other Members. Election shall be conducted in accordance with the provisions of Caucus Rule 3.

Limitation

B. The Chairman of the Budget Committee shall not serve simultaneously as chairman of any other standing committee.

Rule 23. Filling Vacancy in Committee Chairmanship

A vacancy in a committee chairmanship shall be filled within 30 calendar days from the date on which the vacancy occurs in accord with the steps for selecting committee chairmen outlined in Caucus Rules 20, 21 and 22. The nominee of the Caucus for the vacancy will be submitted to the House of Representatives at the earliest practicable date thereafter.

Rule 24. Limitations on Number of Committee Chairmanships

A. No chairman of an exclusive or major committee may serve on another exclusive, major, or non-major committee.

B. The chairman of a full committee shall not serve simultaneously as the chairman of any other full, select, permanent select, special, *ad hoc*, or joint committee unless the Caucus grants an exemption in the case of an *ad hoc* committee; Provided, however, the chairman of the Ways and Means Committee may also serve as chairman of the Joint Committee on Taxation and the chairman of the Committee on House Administration may also serve as chairman of the Joint Printing Committee and the Joint Library Committee.

C. No chairman of an exclusive, major or non-major committee shall serve as a Member of the Committee on Standards of Official Conduct.

Committee Caucuses

Rule 25. Committee Organizing Caucus

There shall be a caucus of each standing committee and any other committee with legislative jurisdiction consisting of all Democratic Members of the committee hereafter referred to as "committee caucus". At the start of each Congress, the chairman of each standing committee or other committee with legislative jurisdiction shall call a meeting of the committee caucus, giving at least three days notice to all Democratic Members of the committee. Said meeting shall be called subsequent to the House Democratic Caucus approval of the committee lists but prior to any organizational meeting of the full committee. Such committee caucuses shall fill the positions of subcommittee chairmen and subcommittee Members in accordance with procedures described in Caucus Rules 27 through 30. Such committee caucus shall approve and secure adoption of committee rules incorporating the principles set forth in Caucus Rule 33.

Rule 26. Periodic Committee Caucuses

Meetings of the committee caucus may be called by the chairman or a majority of the Members of the committee caucuses with due notice to all Members of such caucuses. A quorum of the committee caucus on each committee shall consist of a majority of the Democratic Members assigned thereto. All actions by the caucuses of said committees shall require a majority of those voting, a quorum being present. Upon written request of ten Democratic Members of any committee or upon written request of a majority of the Democratic Members, whichever is less, addressed to the chairman thereof to hold a committee caucus, said chairman shall

call such caucus within ten days of such a request. Said request shall contain the subject matter for discussion at such caucus.

Subcommittee Chairmanships

Rule 27. Election of Subcommittee Chairmen

Bidding Procedure

A. Except for the Appropriations Committee, the Democratic Members of any standing committee shall have the right, at the committee caucus described in Caucus Rule 25, to bid, in order of full committee seniority, for subcommittee chairmanships on that committee. The committee caucus of the Appropriations Committee, in its discretion, may use seniority on the subcommittee concerned, as determined by the order in which Members elect to go on the subcommittee, as the criterion for determining subcommittee chairmanships. Any request for a subcommittee chairmanship shall be subject to approval by a majority of those present and voting by secret ballot in the committee caucus. If the committee caucus rejects a subcommittee chairmanship bid, the next senior Democratic Member may bid for the position as in the first instance. However, bidding for all remaining subcommittee chairmanships would revert back to the most senior Member of the full committee without a subcommittee, even if that most senior Member has previously had his bid for another subcommittee rejected.

Appropriations Committee

B. The full Democratic Caucus shall vote on each Member nominated to serve as chairman of an Appropriations subcommittee following the same procedure set forth in Caucus Rule 20 for the election of standing committee chairmen. If a majority of those present and voting reject any nominee for chairman of an Appropriations subcommittee, the committee caucus of the Appropriations Committee shall submit new nominations until such position is filled.

Convicted or Censured Members

C. The full Democratic Caucus shall vote on each Member selected by the committee caucus to serve as chairman of any subcommittee who, within the two years of the preceding Congress, has been convicted of a felony or has been censured by the House. The debate and vote of the full Democratic Caucus shall be in accordance with the procedures set forth in the Caucus Rules for the election of standing committee chairmen. If the full Democratic Caucus disapproves of the selection of such Member as subcommittee chairman, a new subcommittee chairman shall be selected in accordance with procedures established in this Rule.

Rule 28. Subcommittee Chairmanship Vacancies

Bidding

A. The bidding procedure for subcommittee chairmanships described in Caucus Rule 27 shall apply to chairmanship vacancies and to chairmanships on special subcommittees or subunits, exclusive to the committee and with legislative jurisdiction, that may be created during a Congress.

Appropriations Subcommittees

B. A vacancy in a subcommittee chairmanship on the Committee on Appropriations shall be filled within 30 calendar days from the date on which the vacancy occurs in accord with the steps for selecting the subcommittee chairmen on the Committee on Appropriations outlined in Caucus Rule 27.

C. Any vacancy occurring after March 1 of the second session of a Congress may be filled for the remainder of that Congress by the next ranking Democrat on that subcommittee notwithstanding the provisions of Caucus Rule 27.

Rule 29. Restrictions on Subcommittee Chairmanships

A. No Member shall be chairman of more than one subcommittee of a full committee or select committee with legislative jurisdiction. Provided, however, that the following committees shall be exempt from this provision: House Administration; Standards of Official Conduct; House Recording; and Joint Committees.

Budget Committee

B. Members of the Budget Committee shall be eligible for subcommittee chairmanships on such committee without regard to paragraph A above.

C. The chairman of a full committee or select committee with legislative jurisdiction shall not be the chairman of a subcommittee of any other such full committee.

D. The following committees shall be exempt from paragraph C of this rule: District of Columbia; House Administration; Standards of Official Conduct; House Recording; and Joint Committees.

E. The provisions of paragraphs A and C shall not apply to the subcommittee chairmanships of the Committee on the District of Columbia in the 101st Congress.

Subcommittee Membership

Rule 30. Waiver of Committee and Subcommittee Chairmanship Restrictions

After March 1 of a second session of a Congress, Members who are elected as chairman of a full committee or of a subcommittee or appointed as chairman of a permanent select committee with legislative jurisdiction, shall be exempt from the provisions of Caucus Rule 24.A. and Caucus Rule 29.A. and 29.C. for the remainder of that Congress.

Rule 31. Election of Subcommittee Members

Bidding Procedure

With the exception of subcommittees of the Appropriations Committee, no Member elected as a subcommittee chairman shall choose a second subcommittee position before Members who served in the preceding Congress and newly elected Members, in order of their rank on the full committee, have selected one subcommittee assignment. This provision in no way precludes a subcommittee chairman from bidding for an additional subcommittee position during each subsequent round of bidding. All Democratic subcommittee positions on House standing committees shall be filled at the Committee Caucus pursuant to Caucus Rule 25 according to these five steps:

1. Step One—Members who served on that committee in the preceding Congress who are not subcommittee chairmen shall have the option during the first round of bidding, in order of their rank on the full committee, either to retain one subcommittee assignment held on that committee in the preceding Congress (or in the case where the Democratic Caucus of the committee has determined to split a subcommittee into two subcommittees, to select assignments on both of said subcommittees) or to pass and forego their right to retain any committee position held in the preceding Congress. Members of the Appropriations Committee who served on that committee in the preceding Congress shall be entitled to retain not more than two subcommittee assignments held on that committee in the preceding Congress.
2. Step Two—Members who passed in Step One shall be entitled, in order of their rank on the full committee, to select a new subcommittee assignment to the extent that subcommittee size permits. Appropriations Committee Members who retain no subcommittee assignments and new committee Members shall be entitled, in order of their rank on the full committee, to select one subcommittee position each.
3. Step Three—New committee Members shall be entitled to choose any one subcommittee assignment to the extent that subcommittee size permits. Members of the Appropriations Committee who have only one subcommittee assignment shall be entitled, in order of their rank on the full committee, to select a second subcommittee assignment, to the extent that subcommittee size permits.
4. Step Four—Members shall be entitled to select additional subcommittee assignments during further rounds of selection in order of Members' rank on the full committee until remaining subcommittee vacancies are filled.

5. Step Five—Members who are assigned to standing committees on a temporary basis shall be entitled to select subcommittee assignments, only after steps one through four have been completed, during further rounds of selection in the order of such temporary Members' ranks on such full committee until remaining subcommittee vacancies are filled.

Rule 32. Limitation on Subcommittee Membership

A. No Member shall serve on more than five subcommittees. For purposes of this paragraph, subcommittees of standing committees only shall count toward the five subcommittee assignment limitation. (See Caucus Rule 33 for definition of subcommittee.)

B. As soon as is practicable following the organization of a Congress, the Caucus shall conduct a survey to determine if any Member of the Caucus is in violation of paragraph A of this rule. The Caucus shall provide those Members with written notification of any such violation and shall grant those Members 30 calendar days to bring themselves into compliance with paragraph A. If, at the end of 30 calendar days following written notification, a Member is still not in compliance, the matter will be referred to the Committee on Steering and Policy for disposition.

C. Notwithstanding the provisions of paragraph A of this rule, any Member who serves on a third standing committee by virtue of Caucus Rule 18.G. or 18.I. shall be permitted to serve on six subcommittees.

Rule 33. Subcommittee Vacancies

The steps for selecting committee membership in Caucus Rule 30 shall apply to membership vacancies on subcommittees and to membership on special subcommittees or subunits, exclusive to the committee and with legislative jurisdiction, that may be created during a Congress.

Committee and Subcommittee Procedure

Rule 34. Structure and Rules

A. The committee caucuses as described in Caucus Rule 25 shall approve and secure adoption of committee rules incorporating the following principles:

B. Prior to the start of the bidding process for subcommittee chairmanships and assignments, the caucus of each committee shall establish the number of subcommittees, shall fix the jurisdiction of each subcommittee, and shall determine the size of each subcommittee, provided, however, that if the Caucus determines to change the size of any subcommittee after the start of the bidding process, it may do so, but in that event, all previous action on the bidding process shall be expunged and the bidding process shall start anew, provided, further, that a standing committee shall have no more than eight subcommittees or the number of subcommittees it had on January 1, 1981, whichever is fewer, except:

1. the Committee on Appropriations is limited to no more than the number of subcommittees it had on January 1, 1981;

Jurisdiction, Number and Size of Subcommittees

2. exclusive committees with fewer than six subcommittees may increase the number of subcommittees they have up to six;

3. committees with more than thirty-five members (including delegates) which have fewer than six subcommittees may increase the number of subcommittees they have to six; and, upon granting of a waiver of this limitation by the Steering and Policy Committee, such committees having thirty-five or more Members (including delegates) and six or fewer subcommittees may increase the number of subcommittees they have to seven. Waivers of this rule by the Steering and Policy Committee shall not be granted under any other circumstances.

The term "subcommittee" in this paragraph and elsewhere in these Rules shall include any panel, task force, special subcommittee, or any other subunit of a standing Committee (except such term shall not apply to a task force of the Budget Committee), which is established for a period of longer than six months.

C. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the committee on all matters referred to it. Subcommittee chairmen shall set meeting dates after consultation with the chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings of hearings wherever possible.

D. All legislation and other matters referred to a committee shall be referred to all subcommittees of appropriate jurisdiction within two weeks unless, by majority vote of the Democratic Members of the full committee, consideration is to be by the full committee.

Party Ratios and Subcommittees

E. The committee caucuses shall determine an appropriate ratio of Democratic to minority party members for each subcommittee and shall authorize a Member or Members to negotiate that ratio with the minority party. Provided, however, that party representation on each subcommittee, including ex-officio members, shall be no less favorable to the Democratic Party than the ratio for the full committee.

Rule 35. Subcommittee Staff and Organization

Staffing

A. A subcommittee chairman shall be entitled to select and designate at least one staff member for said subcommittee, subject to the approval of a majority of the Democratic Members of said full committee. Said staff member shall be compensated at a salary commensurate with the responsibilities prescribed by said subcommittee chairman. The staff members' compensation shall be provided out of appropriated amounts, if any, rather than statutory amounts allowed each committee.

Budget

B. Subject to overall control of a majority of the Democratic Caucus on the committee, each subcommittee shall have an adequate budget to discharge its responsibilities for legislation and oversight.

Floor and Conference Procedure

Rule 36. Closed Rule Limitation

Notice

A. It shall be the policy of the Caucus that no committee chairman or designee shall seek, and the Democratic Members of the Rules Committee shall not support, any rule or order prohibiting any germane amendment to any bill reported from committee until four (4) legislative days have elapsed following notice in the Congressional Record of an intention to do so.

Amendments

B. If, within the four (4) legislative days following said notice in the Congressional Record, 50 or more Democratic Members give written notice to the chairman of the committee seeking the rule and to the Chairman of the Rules Committee that they wish to offer a particular germane amendment, the chairman or designee shall not seek and the Democratic Members of the Rules Committee shall not support, any rule or order relating to the bill or resolution involved until the Caucus has met and decided whether the proposed amendment should be allowed to be considered in the House.

Caucus Meeting

C. If 50 or more Democratic Members give notice as provided in paragraph B above, then notwithstanding the provisions of Caucus Rule 5, the Caucus shall meet for such purpose within three (3) legislative days following a request for such a Caucus to the Speaker and the Chairman of the Caucus by said committee chairman or designee.

Notification to Leadership

D. Provided, further, that notices referred to above also shall be submitted to the Speaker, the Majority Leader, and the Chairman of the Caucus.

Rule 37. Notice of Appropriations Violations

It shall be the policy of the Caucus that when the Committee on Appropriations orders reported any general appropriation bill which includes any provision in violation of clauses 2 or 6 of House Rule XXI and within the jurisdiction of a standing committee, it shall give notice immediately to the chairman of the standing committee which has jurisdiction over such provision of the specific provisions in violation of clauses 2 or 6 of House Rule XXI; provided further, that when any other committee of the House orders reported any bill, resolution or amendment thereto carrying an appropriation from a committee not having jurisdiction to report appropriations in violation of clause 5 of House Rule XXI, such committee shall give notice immediately to the chairman of the Committee on Appropriations.

Rule 38. Economic Legislation

It shall be the policy of the Caucus that the leadership use the Rules of the House of Representatives in every way possible to expedite the enactment of economic recovery legislation. The Speaker may designate any bill or resolution as necessary for the economic revival of agriculture or industry. In making any such designation, he shall be guided by the level of the parity ratio as determined by the Department of Agriculture and the percentage of the labor force unemployed as determined by the Bureau of Labor Statistics.

Rule 39. Guidelines on Suspensions of House Rules

When scheduling the consideration of bills or resolutions under the suspension of the Rules of the House of Representatives, the Speaker of the House shall observe the following guidelines:

Requests for Scheduling

A. Any Committee chairman requesting that a bill or resolution be brought up under the suspension of the Rules of the House must make this request in writing and include any cost estimate provided to the committee by any of the following:

1. the committee considering said bill or resolution;
2. the Congressional Budget Office;
3. the relevant executive department, agency, or instrumentality having jurisdiction in the matter; or
4. any other department, agency, or instrumentality of the government;

in every case where such an estimate indicates that the bill or resolution in question may make or authorize appropriations in excess of $100,000,000 for any fiscal year.

Scheduling

B. The Speaker of the House of Representatives shall not schedule any bill or resolution for consideration under the suspension of the Rules of the House of Representatives in any case where a request made under paragraph A of this Rule contains a cost estimate in excess of $100,000,000 in any fiscal year.

Exception

C. In any case where the Speaker of the House requests the Democratic Steering and Policy Committee of the Democratic Caucus to review a request to schedule for consideration under suspension of the Rules of the House an individual bill or resolution which may make or authorize appropriations in excess of $100,000,000 (as established under paragraph A of this Rule) in any fiscal year, and the Democratic Steering and Policy Committee authorizes the Speaker to schedule said bill or resolution for consideration under the suspension of the Rules of the House, paragraph B of this Rule shall not apply to such bill or resolution.

Scheduling of Exceptions

D. In any case in which the Steering and Policy Committee of the Democratic Caucus authorizes the Speaker of the House to schedule a bill or resolution for consideration under the suspension of the Rules of the House as provided in paragraph C of this Rule, such bill or resolution shall not be scheduled under the suspension of the Rules before the fourth calendar day (excluding Saturdays, Sundays, and legal holidays) following the day on which the Democratic Steering and Policy Committee authorized such action.

Advance Notice of Suspensions

E. In scheduling any bill or resolution for consideration under the suspension of the Rules of the House, the Speaker of the House shall provide notice to all Members of the House of Representatives by at least three calendar days (excluding Saturdays, Sundays and legal holidays, but including the day on which such bill or resolution is considered under the suspension of the Rules of the House) that said bill or resolution has been scheduled for consideration under the suspension of the Rules of the House.

Analyses of Suspensions

F. The Speaker of the House of Representatives shall provide sufficient time for Members of the House to receive copies of the Whip Advisory regarding any bill or resolution for consideration under the suspension of the Rules of the House, or a comparable analysis of such bill or resolution. In no case shall such time be less than two calendar days (excluding Saturdays, Sundays, and legal holidays, but including the day on which such bill or resolution is considered under suspension).

G. Paragraphs A through F of this Rule shall not apply to—

Emergency Provision

1. any measure for the declaration of war, or extreme emergency; or
2. any measure directly related to any executive decision, determination, or action which would become or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress.

End of Session

H. Paragraphs A through F of this Rule shall not apply in any session after the adoption by the House of Representatives near the end of that session of a resolution waiving certain Rules of the House for the consideration of legislation for the remainder of that session.

Rule 40. Role of Subcommittee Chairman on House Floor

The chairmen of full committees shall, insofar as practicable, permit subcommittee chairmen to handle on the floor legislation from their respective subcommittees.

Rule 41. Democratic Representation on Conference Committees

The Democratic Party representation on conference committees also shall be no less favorable to the Democratic Party than the ratio for the full House committee.

Party Committees

Rule 42. Democratic Steering and Policy Committee

There shall be a House Democratic Steering and Policy Committee constituted as follows:

Membership

A. The Democratic Steering and Policy Committee shall consist of the Democratic Leadership (The Speaker, Majority Leader, Caucus Chairman, Caucus Vice Chairman, Whip, Chairman of the Democratic Congressional Campaign Committee, and Chief Deputy Whip), 12 Members who shall be elected from 12 equal regions as set forth below, not to exceed eight Members who shall be appointed by the Speaker, the Chairman of the Committee on Appropriations, the Chairman of the Committee on the Budget, the Chairman of the Committee on Rules, and the Chairman of the Committee on Ways and Means.

Organization and Procedure

B. The Speaker shall serve as Chairman of the Committee, the Majority Leader as Vice Chairman, and the Caucus Chairman as Second Vice Chairman. The Committee shall adopt its own rules which shall be in writing; shall keep a journal of its proceedings; and shall meet at least once each month while the House is in session and upon the call of the Chairman or whenever requested in writing by four of its Members. In addition, the committee may authorize the Chairman to appoint ad hoc committees from among the entire membership of the Caucus to conduct special studies or investigations whenever necessary.

Functions

C. The Committee is vested with authority to report its nominations for committee memberships and chairmen and resolutions regarding party policy, legislative priorities, scheduling of matters for House or Caucus action, and other matters as appropriate to further Democratic programs and policies.

Regions

D. The 50 States (and other areas represented in the House) shall be divided into 12 compact and contiguous regions, each containing approximately one-twelfth of the Members of the Caucus. Following each election, the Chairman of the Steering and Policy Committee shall review the number of Members in each region, and if necessary, shall submit to the Caucus for its approval changes necessary to maintain, as near as practicable, an equal number of Members in each region. The proposed changes and a list of Members in each region indicating the total years of service for each as of the start of the new Congress shall be made available to Members of the Caucus at least seven days before a Caucus which shall meet to approve or amend the regions.

Regional Elections

E. Each region shall meet to elect its representatives to the committee at a time determined by the Chairman of the Steering and Policy Committee and announced by written notice at least seven days in advance. The Chairman shall also designate a Member from each region to call that region's election meeting to order and to preside until a permanent presiding officer is elected, which shall be the first order of business. If at such meeting, the election of a Member to the Steering and Policy Committee does not take place due to lack of a quorum, the Chairman shall reschedule the meeting as soon as practicable, provided Members are given at least 48 hours notice in writing of when and where the rescheduled meeting will be held. Nominations may be made from the floor or in advance of the election meeting by written notice signed by two Members from the region other than the nominee. Written nominations must be delivered to the Steering and Policy Committee office not later than 5 p.m. on the second day immediately preceding the day of the election meeting and mailed to all Members of the Caucus in that region not later than midnight of the second day immediately preceding the day of the election meeting. Following the close of advance nominations, a ballot shall be prepared for each region containing the names of candidates nominated in advance for election from the region. Candidates shall be listed in alphabetical order and all ballots shall contain space to write in the names of Members nominated from the floor. One-half of the Members of a region shall constitute a quorum for an election and a majority of those present and voting for a nominated candidate shall be required to elect. If more than one ballot be required, the candidate receiving the fewest votes on each ballot shall be eliminated from all succeeding votes until one candidate receives a majority of the votes cast.

Seniority Limitation

F. If a region's representative in the preceding Congress had completed 12 or more years service at the start of his continuous service on the committee, he or she shall be succeeded by a Member who has less than 12 years service. This provision shall not apply to the reelection of an incumbent Member of the committee who is entitled to seek another term.

Terms of Service

G. Terms of service for Members of the Steering and Policy Committee shall expire when a successor is elected or appointed. In the event of a regional vacancy the region shall elect a successor to fill the unexpired term. No Member shall be appointed or elected to more than two consecutive full terms. No regionally elected Member shall serve concurrently as a regional whip.

Rule 43. Regional Whips

Election Procedure

Regional Whips shall be elected by secret ballot in accordance with the provisions of Caucus Rule 41.E. which governs the election of regional representatives to the Steering and Policy Committee. In the event of a vacancy, the region shall elect a successor to fill the unexpired term. No Member shall be elected to more than two consecutive full terms as a regional Whip.

Rule 44. Democratic Congressional Campaign Committee

Membership

A. The Democratic Congressional Campaign Committee shall consist of the Speaker and one Member from each State which has Democratic representation in the House, the Resident Commissioner from Puerto Rico, and the Delegates from American Samoa, the District of Columbia, Guam, and the Virgin Islands who are Members of the Democratic Party, and eight additional Members who shall be appointed by the Speaker. The state delegations shall choose their committee Members and inform the Speaker of their choice, and the Speaker shall make his appointments, no later than January 31 of the first session of a new Congress. Members of the Democratic Congressional Campaign Committee shall serve for the duration of that Congress.

Notice

B. No later than February 1 of the first session of a new Congress, the Speaker shall send to all Members of the Caucus a listing of the Membership of the Democratic Congressional Campaign Committee for that Congress.

Election of Chairman

C. No later than February 15 of the first session of a new Congress, the Speaker shall convene a meeting of the Democratic Congressional Campaign Committee at which time the committee shall nominate a chairman. Such nomination shall be submitted to the Caucus. The Caucus shall vote on that nomination, and other nominations which may be made from the floor on petition of five Members of the Caucus, at a meeting of the Caucus no later than March 1 of the first session of a new Congress. Candidates for chairman shall not necessarily already be a Member of the Democratic Congressional Campaign Committee.

Term of the Chairman

D. The chairman of the Democratic Congressional Campaign Committee shall serve while a Member of the House and until a new chairman is elected in accordance with the provisions of paragraph C.

Vacancies

E. (1) If a vacancy occurs in the office of chairman prior to the end of a Congress, the Speaker shall appoint a temporary chairman immediately and convene a meeting of the Democratic Congressional Campaign Committee within 45 days of the vacancy to nominate a new chairman. The Caucus shall act upon that nomination and additional nominations made from the floor on petition of five Members of the Caucus within 75 days of the vacancy.

(2) If a vacancy in the office of chairman occurs at the beginning of a Congress, a temporary chairman shall be appointed by the Speaker to serve until a new chairman is elected in accordance with the provisions of paragraph C.

(3) Should a state Democratic Congressional Campaign Committee Member or an appointee of the Speaker be unable to serve a full term, the state delegation or the Speaker, as the case may be, shall fill such vacancy within 15 days.

Officers

F. The Chairman shall nominate, and the Democratic Congressional Campaign Committee shall elect, as many as eight officers to assist the chairman with his duties. Candidates for these positions shall be Members of the Caucus. Any officer who is not, at the time of his election, a Member of the Democratic Congressional Campaign Committee, shall become a Member by virtue of his election as an officer.

Amendment and Review of Caucus Rules

Rule 45. Procedure for Amending Caucus Rules

A. The Chairman of the Caucus shall be responsible for codifying and technically revising the Caucus Rules, and for recommending modification where advisable.

B. When a Member offers an amendment to the Democratic Caucus Rules, the Member must provide twenty (20) copies of such amendment at the time the amendment is offered.

Rule 46. Committee on Organization, Study and Review

The Caucus Chairman shall appoint a Committee on Organization, Study and Review for the purpose of review of the Caucus Rules as circumstances may indicate, with no powers other than those recommending action to the Caucus.

Rule 47. Exemptions, Exceptions and Waivers

A. Any recommendation by the Committee on Organization, Study and Review relating to an exemption or exception from, or waiver of, any rule of the Democratic Caucus with respect to any Member or group of Members shall be accompanied by a written report setting forth the reasons or arguments in support of the committee's recommendation and the arguments made in opposition to such action. Said recommendation and report shall be distributed to all Members of the Caucus before said matter is considered by the Caucus.

B. Any vote relating to a request or recommendation that a specific Member or group of Members be exempted or excepted from any rule of the Democratic Caucus, or that any such rule be waived with respect to any Member or group of Members, shall be by secret ballot.

Disciplinary Procedures

Rule 48. Temporary Step Aside of a Chairman Who is Indicted

A. The chairman of a standing, select, special or joint committee of the Congress, or subcommittee thereof, who is indicted for a felony for which a sentence of two or more years imprisonment may be imposed, shall cease to exercise the powers of chairman and shall step aside in favor of the next ranking Member of the committee or subcommittee concerned who shall serve as acting chairman for the remainder of that Congress unless the chairman resumes the chair in accord with paragraph B or C.

B. If a chairman steps aside and subsequently during that Congress the charges are dismissed or reduced to less than a felony as described in paragraph A, or if the Member is found not guilty of said charges, the chairman shall automatically resume the powers and duties of the office of chairman unless the Caucus within 10 legislative days decides otherwise.

C. The Caucus may waive the provisions of this rule at any time by majority vote.

D. If at the start of the next Congress a Member referred to in paragraph A is still under indictment, the Caucus may, if circumstances warrant, continue to fill the position of chairman, which said Member held in the preceding Congress, on an interim basis with the next ranking Member as acting chairman. If said chairmanship is filled in this manner, and if during that Congress the charges against said Member are dismissed, or if the Member is found not guilty of said charges, or if circumstances no longer warrant holding said chairmanship in an interim status, the chairmanship shall be determined in accord with Caucus Rules 20, 21, 22 or 27, the same as at the start of a Congress.

E. The phrase "next ranking Member" in paragraphs A and D shall not include the chairman of a standing, select, special or joint committee or an Appropriations subcommittee.

Rule 49. Automatic Replacement of a Chairman Who Is Censured Or Convicted

A. The chairman of a standing, select, special or joint committee of the Congress, or subcommittee thereof, who is censured by a vote of the House or who is convicted of a felony for which a sentence of two or more years imprisonment may be imposed, shall cease to exercise the powers of chairman, shall be replaced in such position in accord with Caucus Rules 20, 21, 22, or 27, and shall not serve as chairman of any committee or subcommittee for the remainder of that Congress.

B. Immediately upon censure or conviction of any chairman referred to in paragraph A, the next ranking Member of the committee or subcommittee concerned other than the chairman of a standing, select, special or joint committee or an Appropriations subcommittee, shall assume the powers of chairman and shall serve as acting chairman until a new chairman is selected or until the Caucus acts in accord with paragraph C.

C. If circumstances so warrant, the Caucus may order that the chairman step aside rather than be replaced and that the acting chairman continue in such status for the remainder of that Congress only, or may waive the provisions of paragraph A entirely. Provided, however, that the request for action by the Caucus under this paragraph shall be made by the chairman involved within 15 calendar days of the censure or conviction.

D. If a Member is replaced as chairman of a committee or subcommittee in accord with Caucus Rules 20, 21, 22, or 27 and if subsequently during that Congress the conviction of said Member is reversed and all appeals are exhausted, the Member shall be presumed to have been the chairman of that committee or subcommittee for the entire Congress for purposes of selecting committee and subcommittee chairmen at the start of the next Congress. Provided, however, that if said Member was ordered to step aside rather than be replaced as chairman, the Member shall automatically resume the powers and duties of the office of chairman unless within 10 legislative days of such reversal the Caucus decides otherwise.